

PUBLIC SESSION MINUTES
North Carolina State Board of CPA Examiners
December 20, 2010
1101 Oberlin Road
Raleigh, NC 27605

MEMBERS ATTENDING: Michael C. Jordan, CPA, President; Jose R. Rodriguez, CPA, Vice President; Maria M. Lynch, Esq., Secretary-Treasurer; Barton W. Baldwin, CPA; Wm. Hunter Cook, CPA; Bucky Glover, CPA; and Jordan C. Harris, Jr.

STAFF ATTENDING: Robert N. Brooks, Executive Director; J. Michael Barham, CPA, Deputy Director; Lisa R. Hearne, Manager-Communications; Ann J. Hinkle, Manager-Professional Standards; Buck Winslow, Manager-Licensing; and Noel L. Allen, Legal Counsel.

GUESTS: James T. Ahler, CEO, NCACPA; Sharon Bryson, COO, NCACPA; Maximo Mukeabai, CPA, NCACPA; Mark Sotichack, CPA, NCACPA, and Frank X. Trainor, III, Esq.

CALL TO ORDER: President Jordan called the meeting to order at 10:01 a.m.

MINUTES: The minutes of the November 22, 2010, meeting were approved as submitted.

FINANCIAL AND BUDGETARY ITEMS: The November 2010 financial statements were accepted as submitted.

LEGISLATIVE AND RULE-MAKING ITEMS: The Executive Staff discussed the technical changes and objections made by the Rules Review Commission to the proposed rules at the Commission's December 16, 2010, meeting.

NATIONAL ORGANIZATION ITEMS: Mr. Glover commented on his attendance at NASBA's "New Board Member Orientation" in Nashville, TN.

REPORT OF THE PROFESSIONAL STANDARDS COMMITTEE: Mr. Baldwin moved and the Board approved the following recommendations of the Committee:

Case No. C2010130 – Thomas G. Reynolds – Approve the signed Consent Order (Appendix I).

Case No. C2010173 – Close the case without prejudice but with a Letter of Warning.

Case No. UT2010212 – Kenneth M. McNees – Accept the signed Notice of Apparent Violation and Demand to Cease and Desist (Appendix II).

Case No. C2010175 – Close the case without prejudice.

Case No. C20082216 – Debora B. Wentz – Approve the signed Consent Order (Appendix III).

Case No. 200610-074, Case No. 200610-074-2, and Case No. C20071690 – Clara Jean Pinkney and Clara Jean Pinkney, CPA, PLLC – Approve the signed Consent Order (Appendix IV).

Case No. C2009276 – Carl E. Hansen – Approve the signed Consent Order (Appendix V).

REPORT OF THE PROFESSIONAL EDUCATION AND APPLICATIONS COMMITTEE: Ms. Lynch moved and the Board approved the following recommendations of the Committee:

Transfer of Grades Applications - The following was approved:

Seungwong “Andrew” Hong

Original Certificate Applications - The following were approved:

Seungwong “Andrew” Hong
Kathryn Leigh Sasser

Reciprocal Certificate Applications - The following was approved:

Albert John Mixner Jr.

Temporary Permits - The following temporary permits were approved by the Executive Director and ratified by the Board:

Aimee Leigh Yoars Baker T6139
Elizabeth Anne McKnight T6140
Meredith Anne Flittner T6141
William C. Levine T6142
Daniel Rudell Mullinix T6143
Bethany Jean Hong T6144
Kevin Lamont James T6145

David John McCole T6146
Adam Joseph Zafiroff T6147
Gregory Lawrence Hanford T6148
Chunbo Huang T6149
Tina Jane Stamos T6150
Lawson Anderson Travers T6171

Reinstatements - The following were approved:

Michael Joseph Auth #11609
Lance Lester Farlow #22350
Joe Channing Minor #3422
Janet Sodano #22633
Jared Lee Spencer #31817
Lou Ann Guy Vincent #14400

Reissuance of New Certificate - Applications for reissuance of new certificate submitted by the following were approved:

Hans Timothy Blake #32578
Matt Christopher Hinnant #32535

Andy Hudson #26813
Sharon Roark Thompson #22212

Reissuance of New Certificate and Consent Agreement - An application for reissuance of new certificate and consent agreement submitted by the following were approved:

Davin Walter Brown #16483
David Lynn Fouts #12856

Firm Registrations - The following professional corporations, professional limited liability companies, and limited liability partnerships were approved by the Executive Director and ratified by the Board:

Carter & Jackson Co., CPAs
Cole CPA, LLP
Richard Dean Cunningham Jr. CPA PC

Rejarshi Desai, CPA, PLLC
Courtney Murphy, CPA PLLC

Retired Status Applications - The Committee approved the following requests for retired status because the individuals are completely retired and do not receive any earned compensation for current personal services in any job whatsoever:

Robert Gregory Holley #9488
Gloria F. Lockerman #2301

Gary Walter Ritchie #9265

Letters of Warning - Staff received and recommended approval of the request to rescind the letters of warning awarded to Brian Kirk Bell (#28506). The Committee approved staff recommendation.

Examinations - The Committee reviewed and approved the following staff-approved applicants to sit for the Uniform CPA Examination:

Sanjay Agarwal
Brittany Aloi
LaTisha Ashley
Irina Basarabeanu
Amy Boone
Jessica Bullard
Jennifer Butler
Mona Campbell-Wilks
Megan Cappy
Ko Cha-Moses
John Clark
Stephen Cobb
Hillary Colvin

Christopher Connell
Chad Cook
Stephen Craig
Ronald Creatore
Brendan Davern
Charles Davis
Christopher Dietz
Sara Domby
Kristen Fabian
Misko Filiposki
Jeffery Frick
Lloyd Funderburk, III
Darren Galbraith

Carleton Gallagher
Latonya Garrison
Caroline Gibson
Peyton Gimbert
Lisa Gregg
Carson Guy
Steven Hammell
Diana Hardy
Yashekia Harper
Mara Henderson
Shannon Henry
Andrew Hoffman
Emily Hunter
Nicole Hunter
Lawrence Hussey
James Jones
Keith Kahn
Anna Khlebnikova
Kristen King
James Lawson
Kelly Lew
Zhen Zi Liu
Michael Lucisano
Michael Madden
Denys Marunko
Caitlin McGowan
Glen McKennan
Elliott McKenzie
Michael Means
Brooke Molineux
Robert Montgomery
John Morris
Shelton Nelson
Latoya Owens
Kristen Pannell
George Pappas
Timothy Parnell
Carl Pawsat

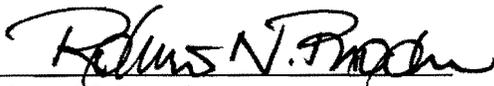
John Payne
Kylee Phillips
Akilah Pitt
Elise Porter
Samantha Pressley
Andrew Reagan
Kathryn Reddick
Brendan Reed
Laramie Reese
Joseph Reid
Jason Resch
Stacie Rhodes
Evan Rives
Fred Robinson
Ryan Rogers
Olanrewaju Shofoluwe
Michael Shusko
Jonathan Smith
Keturah Spann
Elizabeth Stanley
Greg Stribos
Xichen Sun
Thomas Sutherland
Matthew Thompson
Christopher Thompson
Archana Thumar
Sarah Tollison
Brian Tonner
Clinton Townsend
Kelly Watson
Mark Weadon
Christopher Wentz
Dorothy Wesson
Robert Williams
Clarence Williams, III
Patrick Wright
Maria Zavala
William Zweier

EXECUTIVE STAFF AND LEGAL COUNSEL REPORT: The Executive Staff requested that the June 2011 Board meeting be changed from June 22, 2011, to June 20, 2011, because of a conflict with the NASBA Eastern Regional Meeting. The June 2011 Board meeting was rescheduled to June 20, 2011.

ADJOURNMENT: Messrs. Cook and Rodriguez moved to adjourn the meeting at 10:30 a.m. Motion passed.

Respectfully submitted:

Attested to by:



Robert N. Brooks
Executive Director



Michael C. Jordan, CPA
President

NORTH CAROLINA
WAKE COUNTY

BEFORE THE NORTH CAROLINA STATE BOARD OF
CERTIFIED PUBLIC ACCOUNTANT EXAMINERS
CASE #: C2010130

IN THE MATTER OF:
Thomas G. Reynolds, #12484
Respondent

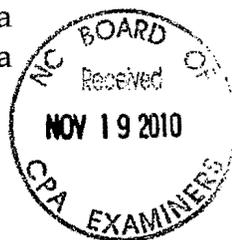
CONSENT ORDER

THIS CAUSE, coming before the North Carolina State Board of CPA Examiners (Board) at its offices at 1101 Oberlin Road, Raleigh, Wake County, North Carolina, with a quorum present. Pursuant to NCGS 150B-41, the Board and Respondent stipulate the following Findings:

1. Thomas G. Reynolds (hereinafter "Respondent") is the holder of North Carolina certificate number 12484 as a Certified Public Accountant.
2. Respondent consented to a Final Judgment issued by the United States District Court for the District of Columbia in a complaint filed by the Securities and Exchange Commission (SEC).
3. As a part of said Final Judgment, Respondent consented that he would be permanently restrained and enjoined from violating, directly or indirectly, Section 30A of the Securities Exchange Act of 1934 (Exchange Act), and permanently restrained and enjoined from aiding and abetting any violation of Sections 13(b)(2)(A) and 13(b)(2)(B) of the Exchange Act, and ordered to pay a civil penalty in the amount of \$40,000.00.
4. Respondent wishes to resolve this matter by consent and agrees that the Board staff and counsel may discuss this Consent Order with the Board *ex parte*, whether or not the Board accepts this Consent Order as written. Respondent understands and agrees that this Consent Order is subject to review and approval by the Board and is not effective until approved by the Board at a duly constituted Board Meeting.

BASED upon the foregoing, the Board makes the following Conclusions of Law:

1. Respondent is subject to the provisions of Chapter 93 of the North Carolina General Statutes (NCGS) and Title 21, Chapter 8 of the North Carolina



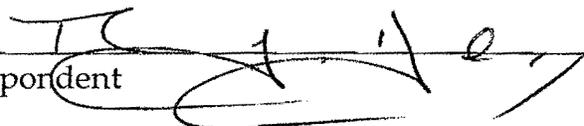
Administrative Code (NCAC), including the Rules of Professional Ethics and Conduct promulgated and adopted therein by the Board.

2. Respondent's actions as set out above constitute violations of NCGS 93-12 (9)e and 21 NCAC 08N .0201, .0203, .0204, and .0301 (a).

BASED on the foregoing and in lieu of further proceedings under 21 NCAC Chapter 8C, the Board and Respondent agree to the following Order:

1. Respondent's CPA certificate shall be suspended for one (1) year; however, said suspension shall be stayed.
2. Said suspension shall become active should the Board be advised of any violation by Respondent of the terms and conditions of the Final Judgment issued by the United States District Court.
3. Respondent shall pay a ten thousand dollar (\$10,000.00) civil penalty to be remitted with this signed Order.

CONSENTED TO THIS THE 18 DAY OF NOVEMBER, 2010.



Respondent

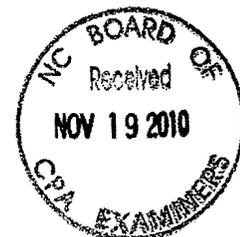
APPROVED BY THE BOARD THIS THE _____ DAY OF _____
2010.

NORTH CAROLINA STATE BOARD OF CERTIFIED
PUBLIC ACCOUNTANT EXAMINERS



BY: 

President



THE NORTH CAROLINA STATE BOARD OF CERTIFIED PUBLIC ACCOUNTANT EXAMINERS

IN THE MATTER OF:
Kenneth M. McNeese
Respondent

NOTICE OF APPARENT VIOLATION
AND DEMAND TO CEASE AND DESIST

TO THE ABOVE NAMED RESPONDENT:

WHEREAS, the North Carolina State Board of Certified Public Accountant Examiners (Board) is authorized by N.C.G.S. §93-12 (16) to enforce the provisions of the North Carolina Certified Public Accountant Act (Act) through actions for injunctive relief regarding "a single violation" of this Chapter; and,

WHEREAS, pursuant to N.C.G.S. §93-1, "A 'certified public accountant' is a person who holds a certificate as a certified public accountant issued to him under the provisions of this Chapter."

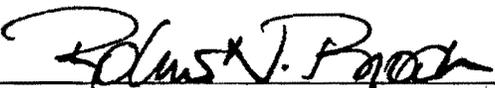
WHEREAS, pursuant to N.C.G.S. §93-3, "It shall be unlawful for any person who has not received a certificate of qualification or not been granted a practice privilege under N.C.G.S. §93-10 admitting the person to practice as a certified public accountant to assume or use such a title, or to use any words, letters, abbreviations, symbols or other means of identification to indicate that the person using same has been admitted to practice as a certified public accountant."

WHEREAS, Respondent Kenneth M. McNeese (hereinafter "Respondent McNeese") is not currently licensed as a certified public accountant in North Carolina or otherwise authorized by the Board to use the CPA title in this state, but his principal place of business is in North Carolina; and

WHEREAS, Respondent McNeese, while working in North Carolina, identified himself as a CPA in the course of his employment with the Wake County Public School System, Respondent McNeese' use of the title "CPA" or "Certified Public Accountant" conveys the false impression that he is authorized to use a title other than 'accountant' when, in fact, he is not lawfully authorized to use the title "certified public accountant" or "CPA" in this State. Such a representation is misleading and contrary to N.C.G.S. §93-1 and §93-3.

THEREFORE, Respondent McNeese is hereby notified and the North Carolina State Board of Certified Public Accountant Examiners demands that he immediately cease and desist from offering or using in any manner the title "CPA" or "Certified Public Accountant" in North Carolina unless and until Respondent McNeese has been licensed as a CPA by the North Carolina State Board of Certified Public Accountant Examiners.

North Carolina State Board of Certified Public Accountant Examiners

BY: 
Robert N. Brooks, Executive Director

DATE: November 1, 2010

In lieu of civil proceedings authorized by N.C.G.S. §93-12(16), the Board will accept Respondent's consent to this Demand.



Cease and Desist - 2
Kenneth M. McNees

Consented to:

BY:


Kenneth M. McNees

DATE:

11/19/2010

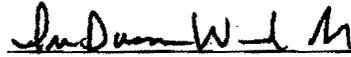
North Carolina State

Wake County

Sworn to (or affirmed) and subscribed before me this day by Kenneth Michael McNees.

[I have personal knowledge of the identity of the principal(s)] [I have seen satisfactory evidence of the principal's identity, by a current state or federal identification with the principal's photograph in the form of a NC DL # 35607624] [a credible witness has sworn to the identity of the principal(s) Kenneth Michael McNees .]

IRA DUANE WADE JR
Notary Seal Notary Public
Wake County, NC



Notary Public Signature

Ira Duane Wade Jr

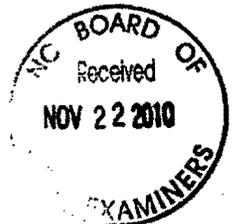
Notary Public Printed Name

11/19/2010

Date

04/12/2011

My Commission Expires



NORTH CAROLINA
WAKE COUNTY

BEFORE THE NORTH CAROLINA STATE BOARD OF
CERTIFIED PUBLIC ACCOUNTANT EXAMINERS
CASE #: C20082216

IN THE MATTER OF:
Debora B. Wentz, CPA #15325
Respondent

CONSENT ORDER

THIS CAUSE, coming before the North Carolina State Board of CPA Examiners (Board) at its offices at 1101 Oberlin Road, Raleigh, Wake County, North Carolina, with a quorum present. Pursuant to NCGS 150B-41, the Board and Respondent stipulate the following Findings:

1. Debora B. Wentz (hereinafter "Respondent") is the holder of North Carolina certificate number 15325 as a Certified Public Accountant. Respondent also holds a firm registration as an individual practitioner firm.
2. On April 3, 2007, Respondent consented to suspension from practice before the IRS for a period of eighteen months in settlement of allegations by the Office of Professional Responsibility and the IRS Office of Chief Counsel that Respondent violated sections of IRS Circular #230 in failing to timely file personal tax returns. Said suspension constitutes discipline by a federal agency.
3. A review of Respondent's records indicates that Respondent failed to file her federal and state personal income tax returns for the tax year 2000 until August 2002 (both federal and state returns); for the tax year 2001 until February (federal return) and January (state return) 2003; for the tax year 2002 until October 2005 (both federal and state returns); for the tax year 2003 until January 2007 (both federal and state returns); for the tax year 2004 until February 2007 (federal return) and December 2006 (state return); and for the tax year 2005 until February (federal return) and January (state return) 2007. For some of the above-referenced tax years in which Respondent failed to file, taxes were due and not timely paid.
4. Respondent failed to report her discipline by the IRS on her 2007 certificate renewal, but did report the discipline on her 2008 certificate renewal.
5. Respondent wishes to resolve this matter by consent and agrees that the Board staff and counsel may discuss this Consent Order with the Board *ex parte*, whether or not the Board accepts this Consent Order as written. Respondent understands and agrees that this Consent Order is subject to



review and approval by the Board and is not effective until approved by the Board at a duly constituted Board Meeting.

BASED upon the foregoing, the Board makes the following Conclusions of Law:

1. Respondent is subject to the provisions of Chapter 93 of the North Carolina General Statutes (NCGS) and Title 21, Chapter 08 of the North Carolina Administrative Code (NCAC), including the Rules of Professional Ethics and Conduct promulgated and adopted therein by the Board.
2. Respondent's actions as set out above constitute violations of NCGS 93-12 (9) e and 21 NCAC 08N .0201, .0203, .0204, .0207, and .0208(b).

BASED on the foregoing and in lieu of further proceedings under 21 NCAC Chapter 08C, the Board and Respondent agree to the following Order:

1. Upon approval of this Order by the Board, Respondent's North Carolina CPA certificate is hereby suspended for eighteen (18) months effective January 1, 2011.
2. Upon approval of this Order by the Board, the firm registration for Respondent's individual practitioner firm is hereby suspended for eighteen (18) months effective January 1, 2011.
3. On July 1, 2012, Respondent may apply to return her certificate to active status by submission and approval of a reissuance application which includes:
 - a. Application form,
 - b. Payment of the application fee,
 - c. 3 moral character affidavits, and
 - d. 40 hours of CPE in 12 months preceding the application including an eight (8) hour accountancy law course as offered by the North Carolina Association of CPAs in a group study format.
4. Respondent shall reimburse the Board for the administrative costs incurred as a result of the investigation of this matter.



Consent Order - 3
Debra B. Wentz

CONSENTED TO THIS THE 10th DAY OF November, 2010.

Debra B. Wentz
Respondent

APPROVED BY THE BOARD THIS THE 20TH DAY OF DECEMBER, 2010.

NORTH CAROLINA STATE BOARD OF CERTIFIED
PUBLIC ACCOUNTANT EXAMINERS



BY: Michael C. Jahn
President



NORTH CAROLINA
WAKE COUNTY

BEFORE THE NORTH CAROLINA STATE BOARD OF
CERTIFIED PUBLIC ACCOUNTANT EXAMINERS
CASE #: 200610-074-1, 200610-074-2, and C20071699

IN THE MATTER OF:
Clara Jean Pinkney, #17752
Clara Jean Pinkney, CPA, PLLC
Respondents

CONSENT ORDER

THIS CAUSE, coming before the North Carolina State Board of CPA Examiners (Board) at its offices at 1101 Oberlin Road, Raleigh, Wake County, North Carolina, with a quorum present. Pursuant to NCGS 150B-41, the Board and Respondent stipulate the following Findings:

1. Clara Jean Pinkney (hereinafter "Respondent Pinkney") is the holder of North Carolina certificate number 17752 as a Certified Public Accountant.
2. Respondent Clara J. Pinkney, CPA, PLLC (hereinafter "Respondent Firm") is a registered certified public accounting limited liability company in North Carolina. At all relevant times, Respondent Pinkney was the sole member of Respondent Firm, and has been individually responsible for the conduct of Respondent Firm.

Count 1

3. In July of 2004, the North Carolina Office of State Treasurer, Local Government Commission (LGC) approved an audit contract between Respondent Firm and the Town of Princeville (Town) for audit services for the year ending June 30, 2004.
4. In that Respondent Firm's 2001 peer review was adverse, the LGC's audit contract stipulated that Respondent Firm's audit must be pre-issuance reviewed by a LGC-approved reviewer prior to issuance of the audit to the Town.
5. Despite several requests and warnings by the Town and the LGC, Respondent Firm and Respondent Pinkney failed to complete the audit and submit it to the LGC-approved reviewer as required by the contract.
6. During the course of the audit, the LGC determined that Respondent Firm was no longer independent in that Respondent Firm contracted and paid an individual to perform bookkeeping services for the Town, which included balancing the accounting records. The LGC also determined that Respondent Firm paid the bookkeeper eighty dollars (\$80.00) an hour but billed the Town

Consent Order - 2
Clara Jean Pinkney
Clara J. Pinkney, CPA, PLLC

for one hundred twenty-five dollars (\$125.00) an hour for the bookkeeper's services.

7. In November of 2006, over two (2) years after the original contractual due date for the audit, the Town and the LGC determined that the audit would be of no value, and the Town passed a resolution terminating Respondent Firm as the firm engaged to perform the Town's June 30, 2004, audit and requesting that Respondent Firm repay the Town all monies paid to Respondent Firm on the audit. Based on the Town's resolution and the LGC's determination that Respondent Firm lacked independence, the LGC sent a letter, dated December 20, 2006, to Respondent Pinkney, on behalf of Respondent Firm, notifying Respondent Firm and Respondent Pinkney that the audit contract approved by the LGC in July of 2004 was terminated.
8. To date, the monies paid, prior to the audit contract termination, by the Town to Respondent Firm and Respondent Pinkney have not been repaid to the Town.

Count 2

9. On January 29, 2007, Respondent Pinkney filed for Chapter 13 Bankruptcy and failed to report this filing on her 2007-2008 individual certificate renewal.
10. The bankruptcy filing was later dismissed by the Court based upon the Bankruptcy Court's finding that Respondent Pinkney had failed to list a substantial creditor and an asset of the estate at the time the bankruptcy petition was filed with the Court.
11. Respondents wish to resolve this matter by consent and agree that the Board staff and counsel may discuss this Consent Order with the Board *ex parte*, whether or not the Board accepts this Consent Order as written. Respondents understand and agree that this Consent Order is subject to review and approval by the Board and is not effective until approved by the Board at a duly constituted Board Meeting.

BASED upon the foregoing, the Board makes the following Conclusions of Law:

1. Respondents are subject to the provisions of Chapter 93 of the North Carolina General Statutes (NCGS) and Title 21, Chapter 8 of the North Carolina Administrative Code (NCAC), including the Rules of Professional Ethics and Conduct promulgated and adopted therein by the Board.

Consent Order - 3
Clara Jean Pinkney
Clara J. Pinkney, CPA, PLLC

2. Respondents' actions as set out above constitute violations of NCGS 93-12 (9)e and 21 NCAC 08N .0201, .0202 (b)(3), .0203, .0204, .0208, .0212, .0402, and .0403.

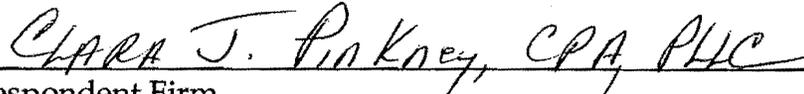
BASED on the foregoing and in lieu of further proceedings under 21 NCAC Chapter 8C, the Board and Respondents agree to the following Order:

1. The Certified Public Accountant certificate issued to Respondent Pinkney, Clara Jean Pinkney, is hereby suspended for three (3) years; however, said suspension shall be stayed.
2. The firm registration for Respondent Firm, Clara J. Pinkney, CPA, PLLC, is hereby suspended for three (3) years; however, said suspension shall be stayed.
3. Respondent and Respondent Firm shall not participate in, perform or review any audits, reviews and agreed-upon procedures for any client for three (3) years.
4. Respondents may request reinstatement of the privilege to participate in, perform and review audits, reviews and agreed-upon procedures after three (3) years but will be required to participate in pre-issuance review of any audits, reviews, and agreed-upon procedures performed until Respondents receive a pass report in a peer review on each level of the aforementioned services, and in the discretion of the Board may be required to pass the audit section or its equivalent of the Uniform CPA Examination.
5. Respondent Pinkney is required to take the eight (8) hour accountancy law course as offered by the North Carolina Association of CPAs in a group-study format within six (6) months of the approval of the Consent Order by the Board.

CONSENTED TO THIS THE 29th DAY OF December, 2010.



Respondent Pinkney



Respondent Firm

Consent Order - 4
Clara Jean Pinkney
Clara J. Pinkney, CPA, PLLC

APPROVED BY THE BOARD THIS THE 20 DAY OF DECEMBER
2010.

NORTH CAROLINA STATE BOARD OF CERTIFIED
PUBLIC ACCOUNTANT EXAMINERS



BY: Michael C. Jordan
President

NORTH CAROLINA
WAKE COUNTY

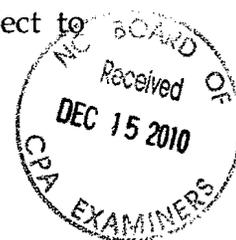
BEFORE THE NORTH CAROLINA STATE BOARD OF
CERTIFIED PUBLIC ACCOUNTANT EXAMINERS
CASE #: C2009276

IN THE MATTER OF:
Carl E. Hansen, Certificate # 21586
Respondent

CONSENT ORDER

THIS CAUSE, coming before the Board at its offices at 1101 Oberlin Road, Raleigh, Wake County, North Carolina, with a quorum present. Pursuant to NCGS 150B-41, the Board and Respondent stipulate the following Findings:

1. Respondent is the holder of North Carolina certificate number 21586 as a Certified Public Accountant.
2. Respondent informed the Board on his 2009-2010 individual certificate renewal (renewal) that he had obtained forty-two (42) hours of continuing professional education (CPE), had completed the annual Board-approved North Carolina ethics CPE course, and had completed at least eight (8) hours of non-self study CPE to meet the 2008 CPE requirement.
3. Based on Respondent's representation, the Board accepted his renewal.
4. Board staff requested that Respondent provide certificates of completion for the CPE reported to meet his 2008 CPE requirement.
5. Respondent provided the CPE certificates of completion to the Board as requested but Respondent failed to provide the certificate of completion needed to document an annual Board-approved North Carolina ethics CPE course that Respondent claimed he earned between January 1, 2008, and December 31, 2008, as was reported on his renewal. Respondent is licensed in Pennsylvania but did not complete an ethics course in Pennsylvania as Pennsylvania does not have an ethics CPE course requirement.
6. Respondent wishes to resolve this matter by consent and agrees that the Board staff and counsel may discuss this Consent Order with the Board *ex parte*, whether or not the Board accepts this Consent Order as written. Respondent understands and agrees that this Consent Order is subject to



review and approval by the Board and is not effective until approved by the Board at a duly constituted Board Meeting.

BASED upon the foregoing, the Board makes the following Conclusions of Law:

1. Respondent is subject to the provisions of Chapter 93 of the North Carolina General Statutes (NCGS) and Title 21, Chapter 8 of the North Carolina Administrative Code (NCAC), including the Rules of Professional Ethics and Conduct promulgated and adopted therein by the Board.
2. Respondent's actions as set out above constitute violations of NCGS 93-12(8b)a, 93-12(9)c and 93-12(9)e and 21 NCAC 08J .0101(b), 08N .0202(a), .0202(b)(3), .0202(b)(4), and .0203(b)(1).

BASED on the foregoing and in lieu of further proceedings under 21 NCAC Chapter 8C, the Board and Respondent agree to the following Order:

1. Respondent's application for renewal is deemed insufficient and untimely under NCGS 150-B-3(a). Hence, his certificate is automatically forfeited pursuant to NCGS 93-12(8b).
2. Respondent must return his certificate to the Board with this signed Consent Order.
3. Respondent may apply for the reissuance of his certificate one (1) year from the date the Board approves the Consent Order if Respondent's certificate and the civil penalty required in number five (5) of this Order have been received by the Board.
4. Respondent may apply to return his certificate to active status by submission and approval of a reissuance application which includes:
 - a. Application form,
 - b. Payment of the application fee,
 - c. 3 moral character affidavits, and
 - d. Forty (40) hours of CPE in 12 months preceding the application including an eight (8) hour accountancy law course as offered by the North Carolina Association of CPAs in a group or self-study format.
5. Respondent shall pay a one thousand dollar (\$1,000.00) civil penalty to be remitted to the Board within six (6) months of the date this signed Order is accepted by the Board.



Consent Order - 3
Carl E. Hansen

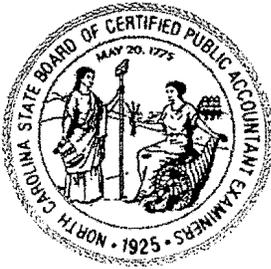
6. Respondent agrees that failure to timely comply with any terms of this agreement and consent order shall be deemed sufficient grounds for revocation of his license.

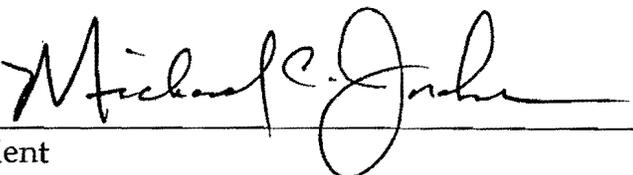
CONSENTED TO THIS THE 13 DAY OF December, 2010.


Respondent

APPROVED BY THE BOARD THIS THE 20 DAY OF DECEMBER, 2010.

NORTH CAROLINA STATE BOARD OF CERTIFIED
PUBLIC ACCOUNTANT EXAMINERS



BY: 
President

